

# **EXHIBIT WW**

**From:** Pocha, Madhu <mpocha@omm.com>  
**Sent:** Thursday, March 14, 2019 11:46 AM  
**To:** Papez, Matthew E.; Sooknanan, Sparkle L.; pfriedman@omm.com; suhland@omm.com; McKeen (External), Elizabeth; wdalsen@proskauer.com; Dale, Margaret A.; mbienenstock@proskauer.com; JLeviton@proskauer.com; tmungovan@proskauer.com; sweise@proskauer.com; mhackett@proskauer.com; brosen@proskauer.com; Theodoridis, Chris; ppossinger@proskauer.com; kperra@proskauer.com; Sushon, Bill; Neve, Brett M.  
**Cc:** Stewart, Geoffrey S.; Bennett, Bruce S.; Rosenblum, Benjamin; Perez, Isel M.; jzakia@whitecase.com; csloane@whitecase.com  
**Subject:** RE: In re Commonwealth of Puerto Rico, et al., Case No. 17-3283 (LTS) // In re Employees Retirement System of Gov't of Commonwealth of Puerto Rico, Case No. 17-3566  
**Attachments:** ERS\_Lift\_Stay\_Custodians.docx; 3.14.19 ERS\_Search\_Term\_Hit\_Counts.docx

Matt -

Attached are updated hit counts and a revised custodian list. The terms reflect your proposed additions with two clarifications. Please note that "PayGo" was already captured in the search (the searches are inclusive of all English and Spanish terms). Regarding "pay w/1 go," after consulting with our Spanish-speaking colleagues, we determined that there is no comparable Spanish equivalent. However, we added the phrase in English and it is our understanding from the documents we have seen that Spanish speakers typically say "PayGo" or one of the variations in the searches.

Regarding custodians, the attached list reflects those who we believe, based on our fact investigation to date, are most likely to have non-duplicative, responsive materials related to Joint Resolution 188 and Act 106. The list spans five different organizations: AAFAF, ERS, Fortaleza, Office of Management and Budget (OMB), and Treasury. We added two OMB custodians who we believe were involved with the legislation: Jose Marrero and Facundo DiMauro. We also added Natalia Palmer from ERS, who served as Administrator in 2017 before Luis Collazo. As we previously indicated, however, it is our understanding that ERS did not have much involvement with the legislation. But to the extent ERS did, Ms. Palmer and Mr. Collazo would be the ones likely to have responsive communications. As you requested, we removed Ms. Tirado from the custodian set.

In light of the hit counts, as a reasonable compromise that balances burden and cost concerns for the government, we are willing to review the results of Search String 2, which includes a "w/25" proximity limiter and hit roughly 20,000 documents. In contrast, using "and" as a limiter, as you requested, would double the hit count to over 40,000 documents and thus double the burden and expense without providing any discernible benefit. For example, without the proximity limiter, there is no basis to ensure that there is a meaningful relationship between the terms. A document that mentions "legislation" in the first paragraph and "collateral" anywhere else would be captured by the search string, along with all family members. We are also in the process of collecting additional emails from Francisco Pena and expect the hit counts will increase somewhat. We reserve the right to further meet and confer if the additional review volume is too high. Given these concerns, we will agree to do the review only with a "w/25" limiter. If that is not acceptable, then we are likely at an impasse and you may need to seek guidance from the Court. In addition, if you believe using an April 1, 2016 start date for the searches is essential, we ask that you tee that up to the Court so that we get clarity from the outset.

Please let us know if we have an agreement so that we can begin the review as soon as possible.

Best,

Madhu